

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JULIE R. GRAHAM, et al.,

Defendants.

8:19-CV-225

ORDER

This matter is before the Court on the plaintiff's motion to set aside the Court's default judgment ([filing 48](#)) pursuant to [Fed. R. Civ. P. 60\(b\)\(1\)](#). The Court finds that, under the circumstances, the judgment should be set aside and the plaintiff afforded additional time to either amend its complaint pursuant to [Fed. R. Civ. P. 15](#) or substitute a party defendant pursuant to [Fed. R. Civ. P. 25](#).¹

IT IS ORDERED:

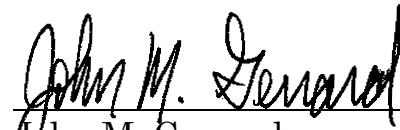
1. The plaintiff's motion to set aside default judgment ([filing 53](#)) is granted.
2. The default judgment ([filing 48](#)) is set aside.

¹ The plaintiff's attention is drawn to Rule 25(a)(1), which requires the Court to dismiss an action against a decedent if a substitution is not made within 90 days after service of a statement noting the death.

3. This case is reopened.
4. The Clerk of the Court is directed to set a case management deadline for July 5, 2022, with the following docket text:
Check for amended complaint or substitution of party.

Dated this 7th day of April, 2022.

BY THE COURT:



John M. Gerrard
United States District Judge